

Docket No.: 114205.400

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office and citizenship is as stated below next to my name,

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter claimed and for which a patent is sought on the invention entitled **MUTATED SRC ONCOGENE COMPOSITION AND METHODS**, the specification of which [X] is attached hereto [ ] was filed on , as Application Serial No. , and was amended on (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known to us to be material to patentability in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s): <u>Number</u>	<u>Country</u>	<u>Day/Month/Year filed</u>	Priority Claimed <u>Yes</u> <u>No</u>
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I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U. S. Application(s): <u>Serial No.</u>	<u>Filing Date</u>	<u>Status: Patented, Pending, Abandoned</u>
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned hereby grant(s) the firm of PEPPER HAMILTON LLP the power to insert on this Declaration any further identification, including the application number and filing date, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document

NOV. 4. 1999 4:02PM

PEPPER HAMILTON LLP

NO. 8647 P. 5

I hereby appoint the following attorney(s) and/or agent(s) listed at the following customer number:

21269

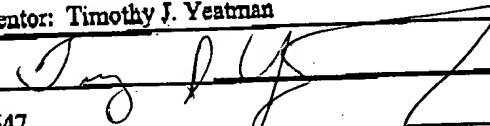
21269

PATENT TRADEMARK OFFICE

with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all future correspondence should be addressed to the address at the aforementioned customer number, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all future correspondence should be addressed to them.

Full name of sole or first inventor: Timothy J. Yeatman

Date: 11-17-97

Inventor's signature: 

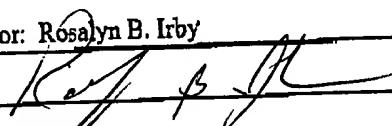
Residence: Tampa, FL 33647

Citizenship: U.S.A.

Post Office Address: 8915 Magnolia Chasse Circle, Tampa, FL 33647

Second named of inventor: Rosalyn B. Irby

Date: 11/17/99

Inventor's signature: 

Residence: Tampa, FL 33618

Citizenship: U.S.A.

Post Office Address: 15820 Glenarm Drive, Tampa, FL 33618

DC: #132854 v1 (2%@2011.WPD)

Applicants or Patentee: Timothy J. Yerungo and Rosalyn B. IrbyAttorney's Docket No.: 114205-400

Serial or Patent No.: \_\_\_\_\_

Filed or Issued: \_\_\_\_\_

For: MUTATED SRC ONCOGENE COMPOSITION AND METHODS

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(e) and 1.27(d)) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: UNIVERSITY OF SOUTH FLORIDAADDRESS OF ORGANIZATION: 4202 E. Fowler Avenue EA0126, Tampa, FL 33620-7900

## TYPE OF ORGANIZATION:

- UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION  
 TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) AND 501(c)(3))  
 NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE  
 UNITED STATES OF AMERICA  
 (Name of State: \_\_\_\_\_)  
 (Citation of Statute: \_\_\_\_\_)
- WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26  
 USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA  
 WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF  
 STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF  
 AMERICA  
 (Name of State: \_\_\_\_\_)  
 (Citation of Statute: \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled by inventor(s) described in

- the specification filed herewith  
 application Serial No. , filed .  
 patent no. , issued .

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or by a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention according to their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

 INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT ORGANIZATION

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

 INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Kenneth G. Preston  
TITLE IN ORGANIZATION: University of South Florida  
ADDRESS OF PERSON SIGNING: Director of Patents and Licensing  
SIGNATURE: (Signature)  
DATE: 11/24/99

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